

**Middlesex Borough Planning Board
1200 Mountain Ave., Middlesex, NJ 08846
Minutes
October 14, 2015**

1. Call to Order

Chairperson Andy Galida called the meeting to order at 7:32p.m.

2 .Open Public Meeting Act Statement

Chairperson Galida read the Open Public Meeting Act statement.

3. Call to Order

Upon voice count the following members were present- Al Lowande, Andy Galida, Jim Green, Robert Schueler, John Sweeney, John Anello, Jeff First, Paul Woska and Michele Tackach.

Also in attendance were: Board Attorney, Ms. Kelly Carey
Board Planner, Mr. Paul Ricci
Board Engineer, Mr. Peter Ciliberto

5. Minutes

Member Sweeney made a motion to approve the September 9, 2015 meeting minutes, seconded by Member Tackach. Vote: Member Lowande-yes, Chairperson Galida- yes, Member Green-yes, Member Schueler- yes, Member Sweeney- yes, Member Anello-yes, Member First-yes, Member Woska- yes, Member Tackach-yes. Motion passed.

6. Old Business

P2015-04

Memorialize Resolution

330 Lincoln Blvd LLC

344 Lincoln Blvd

Block 343 Lot 13

Member Lowande made a motion to approve the Resolution granting the minor site plan, seconded by Member Tackach. Vote: Member Lowande- yes, Chairperson Galida-yes, Member Green-yes, Member Schueler- yes, Member Sweeney-yes, Member Anello- yes, Member First-abstain, Member Woska-yes, Member Tackach-yes. Motion passed.

P2015-07

Memorialize Resolution

Bank of America

1285 Bound Brook Rd.

Block 65 Lot 35

Member Tackach made a motion to approve the Resolution granting the minor site plan, seconded by Member Schueler. Vote: Member Lowande-yes, Chairperson Galida-yes, Member Green-yes, Member Schueler-yes, Member Sweeney-yes, Member Anello-yes, Member First-abstain, Member Woska-yes, Member Tackach-yes. Motion passed.

7. New Business

Minor site plan

P2015-05

MBKS LLC

107 Egel Ave

Block 287 Lot 51

Mr. Butler stated that he is representing MBKS with the minor site plan.

Mr. Butler stated that notices of the meeting had been sent.

Mr. Butler stated that there were two review letters; Najarian Associates dated July 7, 2015 and Ricci Planning dated July 27, 2015.

Mr. Butler stated that MBKS is the owner of the property and this application is for a minor site plan with a design waiver, the use is existing; the parking needs an approved plan.

Mr. Butler stated that there are 14 parking spaces; 8 parking spaces in the front of the building and 6 truck spaces.

Mr. Butler stated that there is a design waiver for the front yard setback.

Mr. Butler stated that Richard Sowden, owner of the property and Robert Templin, applicant's engineer will be testifying.

Mr. Butler referred to the site plan last revised September 30, 2015.

Mr. Sowden stated that he is the owner of Richie's Tire Service located at this property.

Mr. Sowden stated that the office of the Rescue Wreckers, towing company and 64 Motor Company's office are also in the building.

Mr. Sowden stated that the property has: gated fence in the back, 3 containers on the northeast side of the property, the hours of operation are 8 to 5, 24hr road service, key drop box for customers to drop off vehicles after hours. The parking spaces are located in front of the building.

Ms. Carey asked about the size of the containers on the property.

Mr. Sowden stated that there are 2 (40ft) containers and 1 (20ft) container.

Member Sweeney asked if the applicant had been in violation for the last 15 years due to the parking.

Mr. Sowden stated that apparently he had been in violation.

The Board asked if there was parking at the site prior to being purchased.

Mr. Sowden stated that the building had an oil company before he had purchased it.

Member Sweeney clarified that the applicant was before the Board for compliance with the code.

Member Schueler asked about the traffic flow on the site and also questioned what was stored in the containers on the site.

Mr. Sowden stated that tires are stored in the containers; the containers are locked all the time and are secure.

Exhibit A1 was entered as 8 photographs.

Mr. Sowden stated that his wife took the photographs on October 14, 2015, and they accurately represent the property.

Photograph I is a picture of D & J Auto body, a neighboring property with cars parked by the street.

Photograph II is a picture of Wood Ave
Photograph III is a picture further down Wood Ave.

Photograph IV is a closer picture of Photograph III.

Photograph V is a picture further down on Wood Ave.

Photograph VI is a picture of Egel Ave, approximately 3 buildings down from 107 Egel Ave.

Photograph VII is a picture of the corner of Egel and Blackford Avenues

Photograph VIII is a picture of the easterly side of Egel Ave, used to be SOS Gas.

Mr. Butler stated that the applicant showed the parking in the surrounding area, that the parking at 107 Egel Ave is consistent with other properties in the area.

Member Sweeney inquired if any variances were needed.

Mr. Butler explained that no variance was required; the applicant is seeking a design waiver.

Member Anello clarified that on the west side of the property there are gates, stating that it was incorrectly shown on the site plan as a fence.

Member Lowande asked what type of tires are stored in the containers.

Mr. Sowden stated that they are new earth movers tires.

Member First asked about landscaping and that there is none proposed.

Mr. Butler stated that Mr. Templin, the applicant's Engineer will address that issue.

The Board reviewed the checklist items, Member Anello requested that #9 elevations be added to the plan, #19 waterlines, #20, #21 utilities be added to the plan.

The applicant is no longer requesting the waiver of checklist #17(plans for driveway for ingress, egress and traffic flow) and will add the requested items to the plan.

Chairperson Galida opened the meeting to the public for questions for the applicant.

Emil Vogt, 37 Davis Ave., Piscataway NJ 08854 questioned when the notice was mailed out as he did not receive notice and he did receive a notice when the applicant went to the Zoning Board.

Ms. Carey checked the official list prepared by the Tax Assessor and stated that Mr. Vogt was not on the list. The applicant has to use the list provided by the Tax Assessor.

Mr. Vogt questioned the handicapped parking spot and also questioned the gate and the fence on the site plan.

The public portion was closed and the Board proceeded with the application.

Ms. Carey duly swore in Mr. Robert Templin, licensed Engineer and Surveyor.

The Board accepted Mr. Templin's education and credentials.

Mr. Templin stated that the site is located on the North side of Egel Ave, across from Mountain Ave., east, west and south sides are paved, the fence has screen on the perimeter, and the parking in the front on the building has 8 spaces and 1 handicapped parking space.

Exhibit A3 was entered as an aerial photograph taken in 1987 showing the parking on this site.

Mr. Templin stated that the applicant will add; handicapped signage, there are 3 containers on the northeast side of the property, there are concrete bumper stops, there was no lighting or signage proposed, the signature block will be added to the plan and the topographical information will also be added, the design waiver is for the parking in front of the building.

Mr. Ciliberto asked for the 2 monitoring wells to be added to the site plan and anything that was approved at the applicant's property next door to be added to the plan as it shows that property on this plan.

Chairperson Galida asked if there was a DEP case # for this property.

Mr. Butler stated that documentation was submitted and that there was no active remediation for the site, the applicant will add the monitoring wells to the plan.

Chairperson Galida opened the meeting to the public for questions for the Applicant's Engineer, there being none the Board preceded with the application.

Mr. Ciliberto questioned the striped parking on the site.

Member Anello questioned who owns lot 57 and the use of the house on the property.

Mr. Sowden stated that he owns the property and currently rents the house.

Mr. Ricci questioned the residential buffer regarding lot 57 stating that the ordinance requires a 30ft buffer

The Board discussed adding the variance for the buffer to the application.

Mr. Templin explained the buffering of the property and the surrounding property.

Chairperson Galida opened the meeting for questions for the Applicant's Engineer.

Ms. Carey reviewed the application with the Board Members stating that the parking is a design waiver, the variance is the buffer zone, conditions are to add the elevations and utilities, the note of the case # needs to be added to the plans, gate not a fence, the striping of the lot, the site plan changes, the monitoring wells added to the plan.

Member Anello requested that the changes to lot 6 from the Zoning Board be added to this site plan.

Member Anello made a motion to approve the design waivers, the waiver of buffer requirements and the above mentioned items as summarized by Ms. Carey, seconded by Member Schueler. Vote: Member Lowande-yes, Chairperson Galida-yes, Member Green-yes, Member Schueler-yes, Member Sweeney-yes, Member Anello-yes, Member First-yes, Member Woska-yes, Member Tackach-yes. Motion passed.

P2015-06

Minor site plan

MBKS

125 South Ave

Block 371.01 Lot 5.02

Ms. Carey verified that Mr. Vogt was not on the Tax Assessor's list but the applicant did send the notices and that the application would be proceeding.

Mr. Butler stated that there are 12 parking spaces on the property, 5 on the Northeast side for truck parking, and 7 parking spaces in the front of the building.

Mr. Butler stated that there was one tenant, Cabinet Connection.

Mr. Butler stated that the applicant was seeking the design waiver for parking in the front yard setback.

Mr. Sowden stated that he has owned the building since 1987, there is a storage lot on the west end of the property, the main building has the tenant which occupies 2/3 of the building.

The applicant is proposing to add a handicapped parking space, keep the 5 truck parking spaces at the Northeast corner and park in front of the building.

Exhibit A1 was entered as 8 photographs.

Mr. Sowden stated that his wife took the photographs on October 14, 2015, and they accurately represent the property.

Photograph I is a picture of D & J Auto body, a neighboring property with cars parked by the street.

Photograph II is a picture of Wood Ave.

Photograph III is a picture further down Wood Ave.

Photograph IV is a closer picture of Photograph III.

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Photograph VI is a picture of Egel Ave, approximately 3 buildings down from 107 Egel Ave.

Photograph VII is a picture of the corner of Egel and Blackford Avenues.

Photograph VIII is a picture of the easterly side of Egel Ave, used to be SOS Gas.

Mr. Sowden clarified that there are 5 parking spaces on the east side for truck parking.

Mr. Sowden stated that the cabinet company has 2 or 3 employees that work from 7am to 3:30pm, there is no overnight parking.

Member Schueler asked about the parking on the east side of the property.

Mr. Sowden stated the parking spaces are 12 x24 and that tractors will be parked there.

Member Sweeney asked if the cabinet shop was a retail store.

Mr. Sowden stated that the cabinet shop was a manufacturing shop and the parking is for the cabinet shop.

Chairperson Galida opened the meeting to the public for questions for the applicant.

Emil Vogt, 37 Davis Ave. Piscataway NJ 08854 questioned the west side of the property and was concerned about the storage/impound yard and cars parked on the lot. Mr. Vogt questioned the 5 parking spots for the tractors if these are used for Richie's Tires or a renter.

Mr. Sowden stated that there is no other current tenant.

Mr. Butler stated that the west side of the property is used for storage of vehicles.

There being no further public questions the Board continued with the application.

Ms. Carey duly swore in Mr. Robert Templin.

The Board accepted Mr. Templin's education and credentials.

Mr. Templin stated that there are; 7 parking spaces in front of the building, 5 (12x24) parking spaces for truck parking on the east side of the property, no lighting or landscaping, signage proposed, bumper stops will be added, handicapped parking space will be identified, bumper stop detail will be added.

Mr. Ricci stated that the chain link fence is not in compliance with the Borough Ordinance.

After a brief discussion the applicant stated that he will comply with the Borough Ordinance and the fence will be replaced by an 8ft fence with barbwire except for the side facing the front of the property which will not have barbwire.

Member Sweeney questioned the applicant if parallel spots in front of the building had been considered.

Mr. Ricci stated that 10 parking spaces are required by the ordinances.

The Board and the applicant discussed changing the parking in front of the building to parallel parking spaces.

The applicant agreed to have parallel parking spaces in front of the building.

Member Anello asked to have the elevations show on the site plan.

Mr. Ciliberto stated that 25ft is needed for a parallel parking space and no bumper stops are then required.

Member Anello requested to have site plan checklist items, 19, 20, 21 (utilities) on the site plan.

The applicant agreed to add these items on the site plan.

Chairperson Galida opened the meeting for questions for the Applicant's Engineer.

Emil Vogt, 37 Davis Ave. Piscataway, NJ 08854. questioned the rear fence and stated the fence position is inaccurate.

The Board stated that they don't approve property lines and the fence depicted on the site plan shows the existing condition, the fence that was discussed earlier was around the storage yard.

Mr. Templin stated that there was a discrepancy on the property line, that he used the deeds, the iron marks when surveying the property.

Mr. Ciliberto stated that since the applicant was moving the handicapped parking space the area should have mechandim for this spot.

The applicant will have the green mesh slat around the vehicle storage yard.

The bumper curbing on the east side of the property for the truck parking was discussed, with one spot being moved.

The applicant will add shrubs to the railroad tie planters.

Chairperson Galida opened the meeting for comments for the application.

Emil Vogt, 37 Davis Ave, Piscataway, NJ 08854 commented that the storage yard is an impound area and that the cabinet shop is retail.

Kathy Sowden, 393 Jaguar Lane, Bridgewater NJ commented that the cabinet shop has a display for designers and architects.

The Board reviewed the changes to the site plan: the fence will be 8ft and no barb wire in the front, there will be parallel parking in front of the building reducing the number of spots, the utilities will be added to the plan, the planters will be added, mesh will be added to the fence, bumpers will not need to be placed in the parallel parking spaces in front of the building.

Member Anello made a motion to accept the site plan with the changes listed above, seconded by Member Green. Vote: Member Lowande-yes, Chairperson Galida-yes, Member Green-yes, Member Schueler-yes, Member Sweeney-yes, Member Anello-yes, Member First-yes, Member Woska-yes, Member Tackach-yes. Motion passed.

8. Correspondence

A. DEP Notice

Ms. Carey stated that she contacted the Borough Engineer, Mr. T. Vogt. He informed Ms. Carey of the Creighton Lake Dam project.

B. Piscataway Notice

Ms. Carey stated that Middlesex Borough was noticed due to the proximity of the application.

Chairperson Galida stated that the next meeting scheduled for October 28, 2015 would be cancelled.

The next Planning Board Meeting will be Thursday November 12, 2015.

There being no further business Member Tackach made a motion to adjourn the meeting at 9:47pm, seconded by Member Schueler. Vote: All in favor. Meeting adjourned.

Secretary

Karen Wick, Board Clerk